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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/779,690	02/18/2004	Tsuyoshi Kuroki	00862.023465.	8951
5514	7590	08/15/2006	EXAMINER PONIKIEWSKI, TOMASZ	
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			ART UNIT 2165	

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/779,690	Applicant(s) KUROKI, TSUYOSHI	
	Examiner Tomasz Ponikiewski	Art Unit 2165	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>07/09/2004</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Claims 1-14 are pending.

Claim Objections

2. Claims 1, 4, 6-7, 10 and 13-14 are objected to because of the following informalities.

Claim 1 and 10 recite, "can" in lines 2-3. This makes the statement optional therefore it does not need to actually happen. It should be changed to "is" or "are". Appropriate correction is required.

Claims 1, 7 and 10 are objected to because of the following informalities: the recitation of "using" draws toward intended use. The recitation should be changed to "by" or "based on". Appropriate correction is required.

Claim 1 is objected to because of the following informalities: in lines 10-11 the recitation of "step of, in generating" is confusing. The examiner believes that either "or" or "in" should be removed.

Claim 4 is objected because of the following informalities: in line 2 there is colon (:) missing after the word "comprising".

Art Unit: 2165

Claim 13 is objected because of the following informalities: there is colon (:) missing after the word "comprises" in line 3 and line 16 of page 27. Appropriate correction is required.

Claim 14 is objected because of the following informalities: there is colon (:) missing after the word "comprises". Appropriate correction is required.

Claim 6 is objected because of the following informalities: in line the word "step" is missing letter "t". Appropriate correction is required.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claim 8 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claim 8 does not list any hardware (i.e. computer) tied to the steps in order to operate the steps of the claims therefore resulting in software only implementation. Computer programs need to be stored and executed by computer to perform assigned tasks.

Claim Rejections - 35 USC § 112

Art Unit: 2165

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 2-5 and 10-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 10-14 all recite, "adapted to". Enabling does not mean that the step is being accomplished. It suggests a capability but not necessarily taking place. It should be deleted or amended to recite definite language i.e. "configured to".

Claim 2 is objected to because of the following: the term "pieces of unique information" is vague and indefinite.

Claim 3 is objected to because of the following: the term "including generation to" is vague and indefinite.

Claim 4 is objected to because of the following: the term "the same object processing" is vague and indefinite.

Claim 14 is objected to because of the following: the term "its own" is vague and indefinite. It is unclear to the examiner what "its" makes reference to.

Claim 5 recites the limitation "the remaining" in line 11. There is insufficient antecedent basis for this limitation in the claim.

Claims 11-14 recite the limitation "the remaining". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Helgeson et al. (US 6,643,652 B2).

As per claim 1 Helgeson et al. is directed to an information processing method in an information processing apparatus which can generate an object and can be connected to another information processing apparatus through a network to form a distributed processing system, characterized by comprising (column 4, lines 47-48):
an acquisition step of acquiring unique information from the other information processing apparatus (column 12, lines 36-38, wherein authorized could mean that

Art Unit: 2165

some kind of unique id is acquired; column 14, lines 30-36 , wherein the table shows unique information); and

an identification information generation step of, in generating an object, generating identification information of the object by using the unique information (column 20, lines 3-5, wherein meta-data could contain the information of other processors).

As per claim 2 Helgeson et al. is directed to the other information processing apparatus from which the unique information is acquired is a management information processing apparatus which manages pieces of unique information of all information processing apparatuses that form the distributed processing system (column 4, lines 42-51).

As per claim 3 Helgeson et al. is directed to further comprising a notification step of sending information, including the identification information, about an object which has undergone object processing including generation to the management information processing apparatus (column 23, lines 44-47).

As per claim 4 Helgeson et al. is directed to further comprising a reception step of receiving information about an object processed by the other information processing apparatus (column 2, lines 55-57), and

an object processing step of executing the same object processing as that of the other information processing apparatus on the basis of the received information (column 23, lines 38-40).

As per claim 5 Helgeson et al. is directed to an information processing method in a management information processing apparatus which manages information processing apparatuses included in a distributed processing system, characterized by comprising (column 4, lines 47-48):

a unique information assigning step of assigning unique information to each of the information processing apparatuses (column 16, lines 5-12; column 16, lines 18-20, wherein attribute could mean unique information);

and a notification step of sending information about an object received from one of the information processing apparatuses to the remaining information processing apparatuses (column 88, lines 1-3).

As per claim 6 Helgeson et al. is directed to further comprising an object processing step of executing the same object processing as that of one of the information processing apparatuses on the basis of the information about the object (column 23, lines 38-40).

As per claim 7 Helgeson et al. is directed to an information processing method in an information processing apparatus which constitutes a distributed processing system, characterized by comprising steps of (column 4, lines 47-48):

acquiring a unique ID from a management information processing apparatus which manages IDs of all information processing apparatuses that constitute the distributed processing system (column 4, lines 42-51);

generating an object ID by using the acquired unique ID (column 20, lines 3-5, wherein meta-data could contain the information of other processors); and

transmitting object information containing the object ID to the remaining information processing apparatuses in the distributed processing system (column 88, lines 1-3).

As per claim 8 Helgeson et al. is directed to a computer program which causes a computer apparatus to execute an information processing method of claim 1 (column 3, lines 12; column 12, lines 36-38, wherein authorized could mean that some kind of unique id is acquired; column 14, lines 30-36 , wherein the table shows unique information; column 20, lines 3-5, wherein meta-data could contain the information of other processors).

As per claim 9 Helgeson et al. is directed to a computer-apparatus-readable storage medium which stores a computer program of claim 8 (column 12, lines 48-58).

Art Unit: 2165

As per claim 10 Helgeson et al. is directed to an information processing apparatus which can generate an object and can be connected to another information processing apparatus through a network to form a distributed processing system, characterized by comprising (column 4, lines 47-48):

acquisition unit adapted to acquire unique information from the other information processing apparatus (column 12, lines 36-38, wherein authorized could mean that some kind of unique id is acquired; column 14, lines 30-36 , wherein the table shows unique information); and

identification information generation unit adapted to, in generating an object, generate identification information of the object by using the unique information (column 20, lines 3-5, wherein meta-data could contain the information of other processors).

As per claim 11 Helgeson et al. is directed to a management information processing apparatus which manages information processing apparatuses included in a distributed processing system, characterized by comprising (column 4, lines 47-48):

unique information assigning unit adapted to assign unique information to each of the information processing apparatuses (column 16, lines 5-12; column 16, lines 18-20, wherein attribute could mean unique information); and

notification unit adapted to send information about an object received from one of the information processing apparatuses to the remaining information processing apparatuses (column 88, lines 1-3).

As per claim 12 Helgeson et al. is directed to an information processing apparatus which constitutes a distributed processing system, characterized by comprising:
unit adapted to acquire a unique ID from a management information processing apparatus which manages IDs of all information processing apparatuses that constitute the distributed processing system (column 4, lines 42-51);

unit adapted to generate an object ID by using the acquired unique ID (column 12, lines 36-38, wherein authorized could mean that some kind of unique id is acquired; column 14, lines 30-36, wherein the table shows unique information); and

unit adapted to transmit object information containing the object ID to the remaining processing apparatuses in the distributed processing system (column 23, lines 44-47; column 88, lines 1-3).

As per claim 13 Helgeson et al. is directed to a distributed processing system characterized by comprising:

a plurality of information processing apparatuses, each information processing apparatus comprising (column 4, lines 42-51)

acquisition unit adapted to acquire unique information from another information processing apparatus connected through a network (column 16, lines 5-12; column 16, lines 18-20, wherein attribute could mean unique information),

object generation unit adapted to generate an object (column 13, line 22), and

identification information generation unit adapted to, in generating the object, generate identification information of the object by using the unique information (column 12, lines 36-38, wherein authorized could mean that some kind of unique id is acquired; column 14, lines 30-36, wherein the table shows unique information), and

a management information processing apparatus which manages the plurality of information processing apparatuses, the management information processing apparatus comprising (column 4, lines 42-51)

unique information assigning unit adapted to assign unique information to each of the plurality of information processing apparatuses (column 4, lines 42-51), and

notification unit adapted to send information about an object received from one of the plurality of information processing apparatuses to the remaining information processing apparatuses (column 23, lines 44-47; column 88, lines 1-3).

As per claim 14 Helgeson et al. is directed to a distributed processing system constituted by a plurality of information processing apparatuses connected through a network, and a management information processing apparatus which manages a unique ID of each of the plurality of information processing apparatuses, characterized in that each of the plurality of information processing apparatuses comprises (column 4, lines 42-51)

unit adapted to acquire a unique ID of its own from the management information processing apparatus (column 16, lines 5-12; column 16, lines 18-20, wherein attribute could mean unique information),

unit adapted to generate an object ID by using the acquired unique ID (column 12, lines 36-38, wherein authorized could mean that some kind of unique id is acquired; column 14, lines 30-36 , wherein the table shows unique information), and

unit adapted to transmit object information containing the object ID to the remaining information processing apparatuses in the distributed processing system (column 23, lines 44-47; column 88, lines 1-3).

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tomasz Ponikiewski whose telephone number is (571)272-1721. The examiner can normally be reached on 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (571)272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2165

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tomasz Ponikiewski
August 10, 2006

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